

REMARKS/ARGUMENTS

In response to the Office Action mailed October 9, 2009, Applicant amends his application and requests reconsideration in view of the amendments and the following remarks. In this amendment, claims 1 and 4 are amended, no claims have been added, no claims have been cancelled without prejudice and claims 5, 6, 10-16 and 18-19 were previously withdrawn so that claims 1-6, 8-16 and 18-19 are currently pending. No new matter has been introduced.

Claim 4 was objected to for a minor informality which applicant has corrected.

Claims 1-4 and 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,984,955 to Wisselink (Wisselink) in view of U.S. Patent Publication No. 2004/0082990 to Hartley (Hartley). This rejection is respectfully traversed.

Wisselink discloses a system and method for grafting a main vessel as well as a branch vessel. The system comprises a primary graft placed in a main vessel. The primary graft is secured in place by anchoring devices on each end (stents). The primary graft comprises an opening through which a branch graft is connected. A branch connection apparatus secures the branch graft to the opening in the primary graft. The branch graft may also comprise an anchoring device at an end opposite of the branch connector apparatus. As the Examiner correctly asserts, the anchoring device may be wholly inside or wholly outside.

Hartley discloses a composite prosthesis formed from modular components. Each component has a stent portion and a graft portion. Two components overlap with the graft material from one making contact with the graft material on the other. This is accomplished by having the stent of one component on the inside and the stent of the other component on the outside.

In order to make a finding of obviousness, an Examiner must (1) determine the scope and content of the prior art, including non-analogous art if it is in the field of endeavor reasonably related to the particular problem to which the claimed invention is directed, (2) ascertain the differences between the claimed invention and the prior art, considering both the prior art and claimed invention as a whole, and (3) resolve the level of ordinary skill in the art at the time of the invention, factoring in the creativity that one of ordinary skill in the art would employ as well as the Examiner's own knowledge and technical expertise.

It is respectfully submitted that the references taken as a whole fail to disclose or suggest all of the claimed limitations. Claim 1 as amended claims a device for coupling vessels comprising a single flow channel main trunk having first and second ends; first and second stent-anchors disposed completely within and covered by the main trunk, the first and second stent-anchors securing the first and second ends of the main trunk within a vessel; a graft extension configured as part of the main trunk and extending from and being in fluid communication with the main trunk, the graft extension and the main trunk being formed as a continuous, one-piece, unitary structure; a bypass graft overlapping the graft extension creating an overlap region and being in fluid communication with the graft extension vessel, the outside diameter of the graft extension being substantially equal to the inside diameter of the bypass graft; and an internal anchor and an external anchor, the internal anchor being positioned within the graft extension configured to exert a chronic outwardly directed_outward force and the external anchor being positioned outside of the bypass graft and configured to exert a chronic inwardly directed force , the internal anchor and the external anchor cooperating to seal the graft extension and the bypass vessel, both the internal anchor and the external anchor being positioned concentrically in the overlap region to create a fluid tight seal between the graft extension and the bypass graft. In Wisselink the main graft has a hole through which a separate branch vessel is attached via the elaborate means outlined in lines 24-41 of column 9 and not a continuous one piece structure. Hartley discloses stent grafts

that overlap and not two grafts that are joined by two separate stents. The two references, when combined, fail to disclose or suggest the unique structure claimed in amended independent claim 1. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Applicant would be grateful for the opportunity to conduct a telephonic or in-person interview if the Examiner believes it would be helpful in disposing of the present case.

A favorable action on the merits is earnestly solicited.

Respectfully submitted,

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